GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

Public Services – Agriculture & Cooperation Department – ACB (Trap) case – Smt. Vedula Bramaramba, Assistant Director of Agriculture (U/S), Kottur Division, Kottur, Srikakulam District - Trapped on 02.09.2021 – Placed under suspension - Final report received – Initiation of Departmental Action under A.P. Civil Services (CC&A) Rules, 1991 - Articles of Charge - Issued.

AGRICULTURE AND CO-OPERATION (VIG.I) DEPARTMENT

G.O.Rt.No.716 **Dated:16/10/2023**

Read the following:

1. From the Director General, Anti Corruption Bureau, A.P., Vijayawada, Letter RC.No.69/RCT-VSK/2021 – S.12, dt.28.09.2021.
2. Govt.Memo.No.AGC01-AGRI/273/2021, A & C (Vig.I) Dept., dt.16.11.2021.
3. From the Spl. Commissioner of Agriculture, A.P., Guntur, Letter No.Vig.II(5) 110/2021, dt.03.06.2022.
4. Govt.Memo.No.AGC01-AGRI/273/2021, A & C (Vig.I) Dept., dt.18.04.2023.
5. From the Director General, Anti-Corruption Bureau, A.P., Vijayawada, Rc.No.69/RCT-VSK/2021-S.12, dt.05.07.2023 & 04.09.2023.

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O R D E R:

It is proposed to hold an enquiry against Smt. Vedula Bramaramba, Assistant Director of Agriculture (U/S), Kottur Division, Kottur, Srikakulam District, in accordance with the procedure laid down in Rule 20 of the A.P. Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or mis-behaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of Articles of Charge (Annexure-I). Statement of imputation of misconduct or misbehaviour on which action is proposed to be taken against her as Annexure-II, a list of documents by which and a list of witnesses by whom the Article of Charge is proposed to be sustained are also enclosed as Annexure-III and IV.

3. Smt. Vedula Bramaramba, Assistant Director of Agriculture (U/S), Kottur Division, Kottur, Srikakulam District, is directed to submit a Written Statement of Defense (WSD) within (10) days of the receipt of this order.

4. Smt. Vedula Bramaramba, Assistant Director of Agriculture (U/S), Kottur Division, Kottur, Srikakulam District, is informed that an inquiry will be held only in respect of those Articles of Charge as are not admitted. She should therefore, specifically admit or deny each Article of Charge.

5. Smt. Vedula Bramaramba, Assistant Director of Agriculture (U/S), Kottur Division, Kottur, Srikakulam District, is further informed that if she does not submit her Written Statement of Defense (WSD) on or before the date specified in para-3 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiry Authority may hold the inquiry against her exparte.

6. Attention of Smt. Vedula Bramaramba, Assistant Director of Agriculture (U/S), Kottur Division, Kottur, Srikakulam District, is invited to rule 24 of the A.P. Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring any political or outside influence to bear upon any superior authority to further her interest in respect of matters pertaining to her service under the Government. If any representation is received on her behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Smt. Vedula Bramaramba, Assistant Director of Agriculture (U/S), Kottur Division, Kottur, Srikakulam District, is aware of such a representation and that it has been made at her instance and action will be taken against her for violation of rule 24 of the A.P. Civil Services (Conduct) Rules, 1964.

(P.T.O)

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
CHIEF COMMISSIONER, RBKs &
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To:
Smt. Vedula Bramaramba, Assistant Director of Agriculture (U/S),
Kottur Division, Kottur, Srikakulam District
(through the Special Commissioner of Agriculture, A.P., Guntur)

Copy to:
The Special Commissioner of Agriculture, A.P., Guntur.
(With a request to serve the original G.O. on the Charged Officer and obtain her dated acknowledgement on the Xerox copy and furnish the same along with her Written Statement of Defense (WSD) to the Government)
The Director General, ACB, Pandit Nehru Bus Station,
NTR Administrative Block, 2nd Floor, Vijayawada, A.P.
Sf/Sc.

// FORWARDED BY ORDER //

SECTION OFFICER

(Contd. Annexures)

ANNEXURE –I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SMT.VEDULA BRAMARAMBA, ASSISTANT DIRECTOR OF AGRICULTURE (U/S), KOTTUR DIVISION, KOTTUR, SRIKAKULAM DISTRICT.

That Smt.Vedula Bramaramba, D/o Pattabhi Ramayya, aged 58 years, Asst. Director of Agriculture, Kothuru Division, Srikakulam District (here-in-after referred to as Government Servant) while functioning as such during the period between 03.01.2018 to 02.09.2021 (till the date of trap) committed grave misconduct in as much as:

Article of Charge: -

That the Government Servant in misuse of her official position demanded and accepted the bribe amount of Rs.25,000/- from Sri Talasu Madhu and Sri Gudla Shanmukha Rao (complainants) as illegal gratification other than legal remuneration as a motive for doing official favour i.e., not to cancel the licenses of shops and not to trouble and not to conduct checks on shops in future and closing of Top 20 buyers/sellers mail report against the complainants, on 02.09.2021 at 19:00 hrs at the O/o Asst Director of Agriculture, Kothuru Division, Srikakulam District.

Thus Smt. Vedula Bramaramba D/o Sri Pattabhi Ramayya, Aged 58 years, Asst. Director of Agriculture, Kotturu Division, Srikakulam District, by her above mentioned acts, exhibited lack of integrity, devotion to duty, failed to maintain integrity, behaved in a manner unbecoming of a Government servant and reduced the prestige of the Government and thereby violated the Rule 3(1) & (2) of A.P. Civil Services (conduct) Rules, 1964.

Sd/- Gopal Krishna Dwivedi

CHIEF COMMISSIONER, RBKs &
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE –II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THE ARTICLES OF CHARGE FRAMED AGAINST SMT. VEDULA BRAMARAMBA, ASSISTANT DIRECTOR OF AGRICULTURE (U/S), KOTTUR DIVISION, KOTTUR, SRIKAKULAM DISTRICT.

Smt. Vedula Bramaramba, D/o Pattabhi Ramayya, is a native of Vedulavaari Street, Anakapalli, Anakapalli District. Her date of birth is 12.03.1963. She entered into Government Servant on 29.03.1993 as AEO (Sub. Asst) in Agriculture Department and on subsequent promotions, she rose to the rank of Asst Director of Agriculture on 08.10.2011 and posted at Anakapalli. Later she worked at different places and transferred to Kotturu as Asst Director of Agriculture and worked there from 03.01.2018 to the date of trap. She is due to retire on attaining the age of superannuation on 31.03.2025. She is, here after, called as Government Servant.

CHARGE: -

That the Government servant in misuse of her official position demanded and accepted the bribe amount of Rs.25,000/- from Sri Talasu Madhu and Sri Gudla Shanmukha Rao (complainants) as illegal gratification other than legal remuneration as a motive for doing official favour i.e., not to cancel the licenses of shops and not to trouble and not to conduct checks on shops in future and closing of Top 20 buyers/sellers mail report against the complainants, on 02.09.2021 at 19:00 hrs at the O/o Asst Director of Agriculture, Kothuru Division, Srikakulam District.

FACTS AND EVIDENCE:

That, on 01.09.2021 at 10:00 hours, the complainants Sri Talasu Madhu, S/o (Late) Srinivasa Rao, aged 48 years, Proprietor of Annapurna Agros, Singidi village, Bhamini Mandal, Srikakulam district and Sri Gudla Shanmukha Rao, aged 51 years, proprietor, GSN Traders, Singidi Village, Bhamini Mandal, Srikakulam District came to the ACB Office at Srikakulam and lodged a written complaint stating that they are the residents of Singidi village, Bhamini Mandal and doing business by running fertilizer, pesticide and seeds shops in the name and style of 'Annapurna Agros' and 'GSN Traders' respectively. They are having licenses to do the business. They are doing the business, by following the rules and regulations imposed by the Government. While so, Smt.V.Bramaramba, Assistant Director of Agriculture, Kothuru exhorted, about one month back, that she will cancel the licenses of their shops, though they are doing their business in a proper manner. Smt.V. Bramaramba claimed that they sold away excess quantity of fertilizers to the farmers, that a complaint is pending against them in the office of J.D., Srikakulam, that a mail is received in this regard, that they were in top 20 list, that as such, the licenses of their shops have to be cancelled. But they don't receive any kind of notice either from A.D. or J.D. On 17.08.2021 evening, around 4.00 P.M., Sri Talasu Madhu and Sri Shanmukha Rao went to the office of A.D. at Kothuru and met her. Then she demanded an amount of Rs.40,000/- for not to cancel the licenses of their shops, not to conduct checks on their shops and to close the complaint received through mail against their shops. But they pleaded their inability to give that much amount and left the office. Again, on 23.08.2021 around 09:54 AM, he made a call from his cell phone No.9492421787 to the cell phone No.9966280162 of Smt. V.Bramaramba, A.D. and requested her not to trouble them in running their shops. Smt.V. Bramaramba, A.D. asked them to meet her. On that, he and Sri Shanmukha Rao went to the rented house of Smt.V.Bramaramba, A.D. at Kothuru on 24.08.2021 evening around 04:30 PM and met her. Then she demanded an amount of Rs.40,000/- for not to cancel the licenses of their shops and not to trouble them and not to conduct checks on their shops in future. When they beseeched her to reduce the amount, she insisted to pay an amount of Rs.25,000/- as bribe, that the amount shall be paid as early as possible. Sri Talsu Madhu recorded the voice conversation of Smt.V.Bramaramba, A.D., Kothuru through his mobile phone. But they have no interest to pay the bribe amount and as such, they left her residence. Even though, they are running their shops by possessing the required licenses, Smt.V. Bramaramba, A.D., Kothuru intimidated to cancel the licences of their shops and to cause troubles in the name of checkings. As there is no other way, they came to the office of DSP, ACB, Srikakulam and presented a report against Smt.V.Bramaramba, A.D., Kothuru for demanding bribe amount of Rs.25,000/- for not to cancel the licenses of their shops and not to trouble them and not to conduct checks on their shops in future.

(P.T.O)

That, after observing legal formalities, the DSP, ACB, Srikakulam Range registered the complaint as a case in Cr. No.07/RCT-ACB/SKL/2021 U/s. 7(a) of Prevention of Corruption (Amendment) Act, 2018 on 02.09.2021 at 13:15 hours and took up investigation.

On 02-09-2021, the DSP secured the presence of two official mediators viz., i) Sri Gorle Venkata Ramana, S/o late Tatayya, aged 48 years, Assistant Engineer, Irrigation Division, Srikakulam and ii) Sri Surada Appa Rao, S/o late Kamayya, aged 52 years, Sr. Assistant, Irrigation Division, Srikakulam and secured the presence of the complainants.

The DSP, ACB, Srikakulam conducted pre-trap proceedings from 15:15 hrs to 16:30 hrs on 02.09.2021 which was reduced into writing by the mediators as pre-trap proceedings incorporating the serial numbers of the currency notes, the demonstration of chemical test, voice conversation between the complainants and Accused Officer and the instructions issued to the complainants and the other members of the trap party.

On 02.09.2021 at 19.00 hrs, the Government Servant was successfully trapped by the ACB officials when she further demanded and accepted the bribe amount of Rs.25,000/- from the complainant for showing the above said official favour. The chemical test was conducted on both the hand fingers of the Government servant separately and both the hands yielded positive result. The tainted currency notes were recovered from the inner linings of the hand bag of the Government servant. The serial numbers of the recovered currency notes were tallied with the serial numbers of the currency notes mentioned in pre-tap proceedings. The inner linings of the white colour rexin hand bag with brown handles of the Government Servant from where the tainted currency was recovered was also subjected to chemical test and the test yielded positive result. The DSP secured the resultant solutions into three separate bottles, and the tainted currency notes and the hand bag of the Government Servant are seized under the cover of mediators report. The DSP also seized a sample of sodium carbonate powder used in the chemical test under the cover of mediators report.

During the post trap proceedings, the DSP called one of the complainants Sri Madhu and questioned him as to what had happened, after they alighted from the vehicle. On that, he stated as follows:

"తే 02.09.2021 ధి సుమారు రాత్రి గం. 06.45 ని. లకు డి.యస్.పి. గారు నన్ను మరియు నా స్నేహితుడు షణ్ముఖ రావు ను వాహనం నుంచి దింపి వేసి, ఎ.డి. బ్రమరాంబ గారి వద్దకు వెళ్ళమని, ఆమె అడిగితేనే లంచం డబ్బులు ఇమ్మని, బ్రమరాంబ గారు లంచం డబ్బులు తీసుకుంటే నా ముఖం రుమాలు తో తుడుచుకున్న విధంగా మమ్మల్ని అనుసరించి వచ్చుచున్న సి.ఐ. హరి గారికి సిగ్నల్ ఇమ్మని చెప్పినారు. మేము ఎ.డి. గారి ఆఫీసు వద్దకు వెళ్లేసరికి ఎ.డి. గారి ఆఫీసు లో చాల మంది వ్యక్తులు ఉన్నారు. అంతట మేము తన గదిలో ఉన్న ఎ.డి. బ్రమరాంబ గారిని కలిసి, మా షాపుల విషయమై శ్రీకాకుళం వ్యవసాయ శాఖ జే.డి. గారి దగ్గర నమోదు అయిన ప్రధానమైన 20 కంప్లెయింట్ లిస్టు విషయమై ఎటువంటి ఇబ్బంది లేకుండా చేయమని, మా షాపులపైన దాడులు చేయకుండా మరియు మా షాపుల లైసెన్సులు కేన్సిల్ చేయకుండా చూడమని అడిగినాము. అందుకు ఆమె ముందుగా అడిగిన ప్రకారం డబ్బులు తెచ్చినారా అని అడిగినారు. నేను తెచ్చినాము అని చెప్పి , నా షర్ట్ జేబు లో ఉన్న రు. 25,000/-లు తీసి ఎ.డి. బ్రమరాంబ గారి కి ఇవ్వగా, ఆమె తన కుడి చేతితో తీసుకొని,రెండు చేతులతో లెక్కబెట్టుకొని, డబ్బులును తన హ్యాండ్ బాగ్ లోపల పెట్టుకున్నారు. మా షాపుల విషయమై శ్రీకాకుళం వ్యవసాయ శాఖ జే.డి. గారి దగ్గర నమోదు అయిన ప్రధానమైన 20 కంప్లెయింట్ లిస్టు విషయమై ఎటువంటి ఇబ్బంది లేకుండా చేస్తాను అని, మా షాపుల లైసెన్సులు రద్దు చెయ్యకుండా చూస్తాను అని, షాపుల పైన దాడులు చెయ్యకుండా ఉంటాను అని చెప్పినారు. ఆ సమయం లో నా మిత్రుడు షణ్ముఖ రావు కూడా నాతో పాటు ఉన్నారు. షణ్ముఖ రావు ఎ.డి. గారితో మాట్లాడుతుండగా, నేను ఎ.డి. గారి ఆఫీసు ప్రధాన ద్వారం వద్దకు వచ్చి, అక్కడనుండి దగ్గరలో ఉన్న హరి సి.ఐ. గారికి సిగ్నల్ ఇచ్చినాను."

Then the DSP called another complainant Sri Shanmukha Rao and questioned him as to what had happened, after they alighted from the vehicle. On that, he stated as follows:

(Contd.p.3)

"తే 02.09.2021 ధి సుమారు రాత్రి గం. 06.45 ని. లకు డి.యస్.పి. గారు నన్ను మరియు నా స్నేహితుడు మధు ను వాహనం నుంచి దింపి వేసి, ఎ.డి. బ్రమరాంబ గారి వద్దకు వెళ్ళమని, ఆమె అడిగితేనే లంచం డబ్బులు ఇమ్మని, బ్రమరాంబ గారు లంచం డబ్బులు తీసుకుంటే నా స్నేహితుడు మధు ముఖం రుమాలు తో తుడుచుకున్న విధంగా మమ్మల్ని అనుసరించి వచ్చుచున్న సి.ఐ. హరి గారికి సిగ్నల్ ఇమ్మని చెప్పినారు. మేము ఎ.డి. గారి ఆఫీసు వద్దకు వెళ్లేసరికి ఎ.డి. గారి ఆఫీసులో చాల మంది వ్యక్తులు ఉన్నారు. అంతట మేము తన గదిలో ఉన్న ఎ.డి. బ్రమరాంబ గారిని కలిసి, మా షాపుల విషయమై శ్రీకాకుళం వ్యవసాయ శాఖ జే.డి. గారి దగ్గర నమోదు అయిన ప్రధానమైన 20 కంప్లెయింట్ లిస్టు విషయమై ఎటువంటి ఇబ్బంది లేకుండా చేయమని, మా షాపులపైన దాడులు చేయకుండా మరియు మా షాపుల లైసెన్సులు కేన్సిల్ చేయకుండా చూడమని అడిగినాము. ఆమె ముందుగా అడిగిన ప్రకారం డబ్బులు తెచ్చినారా అని అడిగినారు. నా స్నేహితుడు మధు తెచ్చినాము అని చెప్పి, తన షర్ట్ జేబు లో ఉన్న రు.25,000/-లు తీసి ఎ.డి. బ్రమరాంబ గారి కి ఇవ్వగా, ఆమె తన కుడి చేతితో తీసుకొని,రెండు చేతులతో లెక్కబెట్టుకొని, డబ్బులును తన హ్యాండ్ బాగ్ లోపల పెట్టుకున్నారు మా షాపుల విషయమై శ్రీకాకుళం వ్యవసాయ శాఖ జే.డి. గారి దగ్గర నమోదు అయిన ప్రధానమైన 20 కంప్లెయింట్ లిస్టు విషయమై ఎటువంటి ఇబ్బంది లేకుండా చేస్తాను అని, మా షాపుల లైసెన్సులు రద్దు చెయ్యకుండా చూస్తాను అని, షాపుల పైన దాడులు చెయ్యకుండా ఉంటాను అని చెప్పినారు. నేను ఎ.డి. గారితో మాట్లాడుతుండగా, మధు ఎ.డి. గారి ఆఫీసు ప్రధాన ద్వారం వద్దకు వెళ్లి , అక్కడనుండి దగ్గరలో ఉన్న హరి సి.ఐ. గారికి సిగ్నల్ ఇచ్చినాడు."

Then the DSP confronted the Accused Officer with the version of the complainant, the Accused Officer kept quiet.

Then the DSP, ACB secured the presence of the following persons available in the O/o Asst. Director of Agriculture, Kotturu Division, Kotturu and examined them:

1. Sri Kolli Tilak, S/o Babji Rao, aged 30 years, Mandal Agricultural Officer, Bhamini Mandal, Srikakulam District. R/o Near DCC Bank, Srikakulam Road, Kotturu. N/o Pradeep Nagar, Vizianagaram.
2. Smt. Gurugubelli Yogeswari, W/o late Ravi, aged 40 years, Jr. Asst., O/o Asst. Director of Agriculture, Kotturu Division, Srikakulam District. R/o C.L. Naidu College Backside, Seethampeta Road, Palakonda.
3. Smt.Janni Eswari, W/o Dhanunjaya, aged 30 years, Messenger, O/o Asst. Director of Agriculture, Kotturu Division, Srikakulam District. R/o Official Colony, Batthili Road, Kotturu, Srikakulam District.
4. Smt. Mandavakuriti Venkata Rajani, W/o late Durgaprasad, aged 40 years, Watch Woman, O/o Asst. Director of Agriculture, Kotturu Division, Srikakulam District. R/o Kotadurga temple Backside, Near Old Bus Stand, Palakonda, Srikakulam District.
5. Sri Kakinada Eswara Rao, S/o Satyannarayana, aged 21 years, Village Agricultural Asst., Neradi – B Sachivalayam, Bhamini Mandal, Srikakulam District. R/o Door No. 5-63, Pogiri village, Rajam Mandal, Srikakulam District.
6. Sri Kella Arun Kumar, S/o Sanyasi Rao, aged 32 years, Driver of Asst. Director (Agrl.) Car bearing No. AP31EM2939 (Maruthi Brezza), Kommadi Village, Visakhapatnam.

On examination, all the above persons categorically stated that today while they are at O/o Asst. Director of Agriculture, Kotturu Division, Kotturu, two persons came to the office and talked with the Asst. Director Bramaramba for some time. They don't know what had transpired between the Asst. Director and other two persons. After some time, some persons came to the O/o Asst. Director of Agriculture, Kotturu Division and later they came to know that Smt. Bramaramba, Asst., Director (Agrl.) was trapped by ACB officials for demanding and accepting bribe from the persons came to her.

Then the DSP, ACB, Srikakulam asked Sri K. Tilak, Mandal Agriculture Officer, Bhamini Mandal about the list of fertilizers shops in Bhamini Mandal and Sri Tilak put out a print from the computer available in the office of AD (A), Kotturu and handed over it to the DSP, ACB.

The DSP, ACB perused the list and found that Annapurna Agros had new license number SKM/14/ADA/FR/2019/24053 at Singidi and GSN Traders had new license Number SKM/14/ADA/FR/2012/898 at Singidi. The DSP, ACB seized the above list for the purpose of investigation following due procedure.

(P.T.O)

Then the DSP, ACB questioned the staff about the attendance register, Smt. M.V. Rajani produced the original attendance register of office of AD (A), Kotturu Division. The DSP, ACB perused the Attendance Register. The register is being maintained from 01.01.2021. Smt. Bramaramba singed in the register on 17.08.2021 & 24.08.2021 i.e., on the dates of demand of bribe amount.

Then the DSP, ACB seized the attendance register following due procedure.

The DSP examined the witnesses who were present at the scene of offence at the time of trap and conducting post trap proceedings in the presence of the mediators and the mediators incorporated their statements in detail in the post trap proceedings. The DSP also seized a sample of Sodium Carbonate Powder used in the chemical Test under the cover of mediators report.

During the course of investigation, the investigating officers examined the following witnesses.

Witness No.1: Sri Talasu Madhu, S/o Late Srinivasa rao, age 48 yrs, Proprietor of Annapurna Agros, Singidi Village, Bhamini Mandal, Srikakulam District.

He is the complainant, proprietor of "Annapurna Agros", who speak about the demand of bribe amount of Rs.25,000/- by the Government Servant, the contents of complaint dt.01.09.2021 submitted to the DSP, ACB, Srikakulam Range along with Gudla Shanmukha Rao and also speaks his recording the voice conversation that took place among him and Gudla Shanmukha Rao and the accused officer on 24.08.2021 in his mobile phone and copied the same into a memory card and handed over the Memory card along with 65-B IEA certificate to the DSP, ACB at the time of Pre-Trap proceedings in the presence of official mediators and also speaks about the contents of Pre-Trap & Post-Trap proceedings to the extent concerning to him and also giving his statement u/s 164 Cr.P.C. before the Judicial Magistrate of 1st class, Srikakulam on 08.09.2021 and he deposed reiterating the contents of complaint and his participation in pre-trap and post-trap proceedings concerning to him etc., facts.

Witness No.2: Sri Gudla Shanmukha Rao, S/o Sankaranarayana, age 51 years, proprietor, GSN Traders, Singidi Village, Bhamini Mandal, Srikakulam District.

He is another complainant and proprietor of "GSN Traders" and speaks about the contents of complaint dt. 01.09.2021 submitted to the DSP, ACB, Srikakulam Range along with Talasu Madhu and also speaks about recording the conversation that took place among him and Talasu Madhu and the accused officer in the mobile phone of Talasu Madhu, got copied the same into a memory card by Talasu Madhu and handed over the Memory card along with 65-B IEA certificate to the DSP, ACB at the time of Pre-Trap proceedings in the presence of official mediators and also speks about the contents of Pre-Trap & Post-Trap proceedings to the extent concerning to him and also giving his statement u/s 164 Cr.P.C. before the Judicial Magistrate of 1st class, Srikakulam on 08.09.2021 and he deposed reiterating the contents of complaint and his participation in pre-trap and post-trap proceedings concerning to him along with the complainant Talasu Madhu etc.,facts.

Witness No.3: Sri Kolli Tilak, S/o Babji Rao, age 30 years, Mandal Agricultural Officer, Bhamini Mandal, Srikakulam District. R/o Near DCC Bank, Srikakulam Road, Kotturu. N/o Pradeep Nagar, Vizianagaram.

He states that he has been working as Agriculture Officer in Bhamini Mandal. On the day of trap he was present at the office of ADA, Kotturu and at about 6:50 PM, Sri Talasu Madhu, proprietor of Annapurna Agros and Sri Gudla Shanmukha Rao, Prorietor of GSN Traders of Singidi village came to the office and talked with the Asst. Director Bramaramba for some time. At about 07:00 PM some persons came to the O/o Asst. Director of Agriculture, Kotturu Division and surrounded Smt. Bramaramba, Asst., Director (Agrl.) and later he came to know that Smt. V.Bramaramba A.D., Kotturu was trapped by the ACB officials while demanding and accepting the bribe amount of Rs.25,000/- from Sri Talasu Madhu and Sri Gudla Shanmukha Rao for not to cancel the licenses of their shops and not to trouble them and not to conduct checks on their shops in future and closing of Top 20 buyers/sellers mail report against them. On the request of DSP, ACB about the list of fertilizers shops in Bhamini Mandal, he took out a print from the computer available in the office of AD (A), Kotturu and handed over it to the DSP, ACB.

(Contd.p.5)

On further examination, he states that with regard to the top -20 fertilisers buyyers list for the month of April, 2021, a mail was received from the JD office (jdasklm@gmail.com) to his office mail id (maobhamini@gmail.com) on 28.06.2021 and in the list, one Mani Nookayya of Singidi village was placed as one of the top 20 buyyer and another mail was also received from the JD Office to his office mail id on 03.07.2021 for the top-20 issue and the same was informed to Smt Bramaramba and she told to him that she will look into the issue and she further told to him that Annapoorna Agros and GSN traders of Bhamini Mandal are the sellers of urea (fertilizers) to Mani Nookayya and she will look into the issue and etc facts.

Witness No.4: Smt. Gurugubelli Yogeswari, W/o late Ravi, age 40 years, Jr. Asst., O/o Asst. Director of Agriculture, Kotturu Division, Srikakulam District. R/o C.L. Naidu College Backside, Seethampeta Road, Palakonda.

She states that she has been working as Junior Assistant in the office of AD (A), Kotturu and residing at Palakonda village. On 02.09.2021 at about 6:50 PM two persons came to the office and talked with the Asst. Director Bramaramba for some time. At about 07:00 PM some persons came to the O/o Asst. Director of Agriculture, Kotturu Division and surrounded Smt. Bramaramba, Asst., Director (Agrl.) and later she came to know that Smt. V.Bramaramba A.D.A, Kotturu was trapped by the ACB officials while demanding and accepting bribe amount of Rs.25,000/- from the persons who met the A.D for not to cancel the licenses of their shops and not to trouble them and not to conduct checks on their shops in future and closing of Top 20 buyers/sellers mail report against them and etc., facts.

Witness No.5: Smt. Janni Eswari, W/o Dhanunjaya, age 30 years, Messenger, O/o Asst. Director of Agriculture, Kotturu Division, Srikakulam District. R/o Official Colony, Batthili Road, Kotturu, Srikakulam District.

She states that she has been working as Messenger in the office of AD (A), Kotturu and residing at Kotturu village. On 02.09.2021 at about 6:50 PM two persons came to the office and talked with the Asst. Director Bramaramba for some time. At about 07:00 PM some persons came to the O/o Asst. Director of Agriculture, Kotturu Division and surrounded Smt. Bramaramba, Asst., Director (Agrl.) and later she came to know Smt. V.Bramaramba A.D., Kotturu was trapped by the ACB officials while demanding and accepting bribe amount of Rs.25,000/- from the persons who met the A.D for not to cancel the licenses of their shops and not to trouble them and not to conduct checks on their shops in future and closing of Top 20 buyers/sellers mail report against them and etc., facts.

Witness No.6: Smt. Mandavakuriti Venkata Rajani, W/o late Durgaprasad, age 40 years, Watch Woman, O/o Asst. Director of Agriculture, Kotturu Division, Srikakulam District. R/o Kotadurga temple Backside, Near Old Bus Stand, Palakonda, Srikakulam District.

She states that she has been working as watch woman in the office of AD (A), Kotturu and residing at Palakonda village. On 02.09.2021 at about 6:50 PM two persons came to the office and talked with the Asst. Director Bramaramba for some time. At about 07:00 PM some persons came to the O/o Asst. Director of Agriculture, Kotturu Division and surrounded Smt. Bramaramba, Asst., Director (Agrl.) and later she came to know Smt. V.Bramaramba, A.D., Kotturu was trapped by ACB officials while demanding and accepting bribe amount of Rs.25,000/- from the persons who met the A.D for not to cancel the licenses of their shops and not to trouble them and not to conduct checks on their shops in future and closing of Top 20 buyers/sellers mail report against them. On the request of ACB officials she handed over the staff attendance register for the year 2021 of the office ADA, Kotturu and etc., facts.

Witness No.7: Sri Kakinada Eswara Rao, S/o Satyannarayana, age 21 years, Village Agricultural Asst., Neradi – B Sachivalayam, Bhamini Mandal, Srikakulam District. R/o Door No. 5-63, Pogiri village, Rajam Mandal, Srikakula District.

He states that he has been working as Agricultural Assistant, Neradi-B, Sachivalayam, Bhamini Mandal and residing at Pogiri village. On the day of trap he along with Sri Tilak, Mandal Agriculture officer, Bhamini were present at the office of ADA, Kotturu and at about 6:50 PM, Sri Talasu Madhu, proprietor of Annapurna Agro's and Sri Gudla Shanmukha Rao, Prorietor of GSN Traders of Singidi village came to the office and talked with the Asst. Director Bramaramba for some time. At about 07:00 PM some persons came to the O/o Asst. Director of Agriculture, Kotturu

Division and surrounded Smt. Bramaramba, Asst., Director (Agrl.) and later he came to know that Smt. V.Bramaramba , A.D., Kotturu was trapped by ACB officials while demanding and accepting bribe amount of Rs.25,000/- from Sri Talasu Madhu and Sri Gudla Shanmukha Rao for not to cancel the licenses of their shops and not to trouble them and not to conduct checks on their shops in future and closing of Top 20 buyers/sellers mail report against them and etc., facts.

Witness No.8: Sri Kella Arun Kumar, S/o Sanyasi Rao, age 32 years, Driver of Asst. Director (Agrl.) Car bearing No.AP31 EM 2939 (Maruthi Brezza), Kommadi Village, Visakhapatnam.

He states that he has been working as a Car Driver to Smt. V. Bramaramba Asst. Director of Agriculture, Kotturu. On 02.09.2021 at about 6:50 PM two persons came to the office and talked with the Asst. Director Bramaramba for some time. At about 07:00 PM some persons came to the O/o Asst. Director of Agriculture, Kotturu Division and surrounded Smt. Bramaramba, Asst., Director (Agrl.) and later he came to know Smt. V.Bramaramba A.D., Kotturu trapped by ACB officials while demanding and accepting bribe amount of Rs.25,000/- from the persons who met the A.D for not to cancel the licenses of their shops and not to trouble them and not to conduct checks on their shops in future and closing of Top 20 buyers/sellers mail report against them and etc., facts.

Witness No.9: Sri Kotagiri Sridhar, S/o VRK Mohana Rao, age 59 years, Dy. Director (Agriculture), FAC Joint Director (Agriculture), Srikakulam. R/o Flat No. 206, B-Block, Paradise Apartments, Seethammadhara, Visakhapatnam.

He states that he has been working as Dy. Director (Agriculture), FAC Joint Director (Agriculture), Srikakulam. On the day of trap, he was informed by ACB officials that Smt. V.Bramaramba, A.D., Kotturu was trapped by ACB officials while demanded and accepting bribe amount of Rs.25,000/- from Talasu Madhu and Gudla shanmukha Rao of Singidi village for not to cancel the licenses of their shops and not to trouble them and not to conduct checks on their shops in future and closing of Top 20 buyers/sellers mail report against them and immediately he attended the office of ADA, Kotturu and assisted the ACB officials and further he furnished information through his letter Rc.No.Esst(1)198/2021 & Plg (2) Fert/ACB Cases/2021, dated 01.10.2021 with regard to service particulars of the accused officer Smt. V.Bramaramba, A.D. Agriculture, Kotturu and the procedural aspects for issuance of license and also for cancellation of licences to Fertilizer, Pesticide and Seeds shops and duties and responsibilities of Government Servant and other information. The duties and responsibilities of the Asst. Directors (Agrl.) are that (i) registering the climatic changes and extension of crops (ii) to look after the Govt. schemes to reach the beneficiary farmers (iii) distribution of agricultural equipments (iv) To look after the quality (v) implementation of Union Govt. and state Govt. schemes (vi) database management of crops (e-crops) (vii) implementation of insurance schemes (viii) to look after sanction of loans to the needy farmers and (ix) licensing authority for fertilizers etc. The Joint Director (agriculture) is empowered to issue Licenses to wholesale dealers under Fertilizers Act to sell fertilizers and also issue license to retail dealers to sell pesticides and seeds. The Asst. Directors are empowered to issue licenses to retail dealers to sell fertilizers. Further the Asst. Directors are empowered to inspect the dealer's shops inorder to monitor the quality of fertilizers, cost of fertilizers etc., and they have to submit their reports to the Joint Director (Agrl.). Basing on the recommendations made by the Asst. Directors, the JD (A) office will take necessary actions on the dealers. Under the supervision of Joint Collector, the JD (A) office will prepare a list of top 20 buyers/sellers of fertilizers and verify whether the buyers are genuine farmers or not and also verify whether the seller sold the fertilizers correctly or not and submit the report to the Joint Collector accordingly. The JD (A) office will call the buyers and sellers, examine them. If their office satisfied with the explanations of the buyers and sellers, they won't take any action but if any discrepancy was found, they will impose fine of Rs. 10,000/- for 1st time, Rs.30,000/- for 2nd time and after then they can cancel the license of the seller. With regard to top 20 buyer/seller lists, at the field level the Mandal Agricultural Officer and Asst. Director (Agrl.) has to verify the genuineness of said list and submit the report to the JD (A).

(Contd.p.7)

On Further examination of Sri K.Sridhar, Dy. Director (Agriculture), FAC Joint Director (Agriculture), Srikakulam states that dealers who sold high quantity of Urea, they were kept as Top 20 buyers/sellers list and as usual in the month of April 2021, Top 20 buyyers list was announced and in that list one Mani Nookayya of Singidi village was found as one of the top 20 buyer. His office informed the same vide Rc. No 84/2020, dt.25.06.2021 through the mail from his office to the mail of ADA office, Kotturu and Mandal Agriculture Office, Bhamini along with other officers on 28.06.2021 and also vide No. Planning (2) 84/2020, dt. 29.06.2021 through mail on 03-07-2021 from his office to the office mails of ADA, Kotturu and MAO, Bhanimi for taking necessary action and he also informed to Smt V.Bramaramba, ADA, kotturu about the sellers i.e., GSN Traders and Annapurna Agros of Singidi village of Bhamini mandal of Kotturu Sub-Division, who sold the same to the Mani Nookayya and instructed her to take necessary action. In general fertilizers top-20 buyers list was announced through the online and when any one name was included in the Top- 20 list of buyers/ sellers for the sale of fertilizers, same is to be verified at the field level i.e Mandal Agriculture officer and Asst Director of Agriculture, that the quantity of urea that was purchased by the buyer is for the real use or for the side business of the seller and they have to verify the land details of the concerned also and if the seller was found guilty, they have to fine for Rs 30,000/- and in default of fine, Asst. director of Agriculture concerned has to cancel the licence of the fertilizer shop. if the dealer/seller was found not guilty, they have to close the action against the sellers. But Smt. V.Bramaramba, A.D.A, Kotturu did not take any action against the dealers/complainants till the date of trap and etc facts.

Witness No.10: Polimeri Pydi Venkata Visweswara Ajay Kumar, S/o Durgi Naidu, age 33 years, Agriculture Officer, J.D office, Srikakulam.

He states that he has been working as Agricultural Officer in the office of Joint Director (Agriculture), Srikakulam. He works under the supervision of JD Agriculture and looked after the works of RBK, Fertilizers, pesticides and seeds and calamities and other works entrusted by JD. Smt. V.Bramaramba worked as A.D., Kotturu in Srikakulam district. The dealers who sold high quantity of Urea, they were kept as Top 20 buyers/sellers list and as usual in the month of April 2021 Top 20 buyyers list was announced and in that list one Mani Nookayya of Singidi village was found as one of the top 20 buyyer. His office informed the same vide Rc. No 84/2020 dt 25.06.2021 through the mail from his office to the mail of ADA office, Kotturu and Mandal Agriculture Office, Bhamini along with other officers on 28.06.2021 and also vide No. Planning (2) 84/2020, dt. 29.06.2021 through mail on 03-07-2021 from his office to the office mails of ADA, Kotturu and MAO, Bhamini for taking necessary action and he also informed to Smt V.Bramaramba, ADA, Kotturu about the sellers i.e., GSN Traders and Annapurna Agros of Singidi village of Bhamini Mandal of Kotturu Sub-Division, who sold the same to the Mani Nookayya. In general, fertilizers top-20 buyers list was announced through the online and when any one name was included in the Top-20 list of buyers / sellers for the sale of fertilizers, same is to be verified at the field level i.e., Mandal Agriculture officer and Asst. Director of Agriculture, that the quantity of urea that was purchased by the buyer is for the real use or for the side business of the seller and they have to verify the land details of the concerned also and if the seller was found guilty, they have to fine for Rs.30,000/- and in default of fine, Asst director of Agriculture concerned has to cancel the license of the fertilizer shop. if the dealer/seller was found not guilty, they have to close the action against the sellers. But Smt V.Bramaramba, A.D.A, Kotturu did not take any action against the dealers/complainants till to date of trap and etc facts.

Witness No.11: Smt Badiganti Sarada, Asst. Director of Agriculture (FAC), Kotturu, Srikakulam District.

She stated that she has been working as Asst Director of Agricuture (FAC), Kotturu since 27.09.2021 and she came to know that ADA, Kotturu Smt Bramaramba was caught red handed by the ACB officials on 02.09.2021 at about 7:00 PM from the complainants with regard to top 20 Buyers/Sellers list and other issues and further states that on taking the charge of ADA, Kotturu she immediately enquired with the Top -20 sellers of fertilizers issue with the Senior Assistant and verified the mails that was received from the JD office with the help of Senior Assistant Sri Prasada Rao and found that two mails dt.28.06.2021 & 03.07.2021 were received from the JD office with regard to the issue of top-20 list and in the mail dt 28.06.2021, one Mani Nookayya of Singidi Village was found as top-20 buyer. She enquired with the Senior Assistant about the action taken by the then ADA Smt. V. Bramaramba, on that Senior Assistant told to her that he informed the issue to

Smt V.Bramaramba on 03.07.2021 on that she told to him that she will look into the matter. After assuming the charge as A.D (A), Kotturu, Smt B.Sarada enquired about the top 20 issue with regard to the complainants in this case and found that no fault on part of the complainants and further stated that, she handed over the copies of the two mails dt 28.06.2021 and 03.07.2021 to ACB Officials, which was received from the JD office duly printed out from the computer available in her office by Senior Assistant duly signed by herself And Senior Assistant and etc., facts.

Witness No.12: Sri Sapparapu Prasada Rao, S/o Late Suryanarayana, age 50 years, Senior Assistant, O/o Asst., Director of Agriculture, Kotturu, Srikakulam District:

He states that he has been working as Senior Assistant in the office of Asst. Director of Agriculture, Kotturu and looked after the office administration and computer works. On 28.06.2021, a mail was received from JD, Agriculture office, Srikakulam vide letter No.84/2020 Dt:25.06.2021 to take necessary action with regard to the top-20 buyers list for the month of March and April, 2021 and another mail was also received on 03.07.2021 vide Memo No. Planning (2) 84/2020, Dt:29.06.2021 with regard to take necessary action on the top-20 issue. He informed the same to the accused officer Smt Bramaramba on 03.07.2021 and on that she states to him that she will look after the issue. On 02.09.2021, he attended the office and in the evening at about 5:15 PM he left the office with the prior permission from the A.D Smt Bramaramba and after that he came to know that on 02.09.2021 at about 7:00 PM, A.D Smt Bramaramba was caught red handed while taking the bribe from the dealers of the fertilizers shop owners with regard to the top-20 issue. He further states that, Smt. Sarada, after attaining of the charge as In charge A.D, enquired with him about the top-20 mail list of Buyers/ sellers of fertilizers. Accordingly he opened the mails Dt:28.06.2021 & 03.07.2021 which was received from the J.D (Agril), Srikakulam and showed her and she intern asked whether he informed the same to the Smt. Bramaramba, on that he states that the same was informed to her and she told to him that she will look into the matter. He handed over the copies of the two mails dt.28.06.2021 & 03.07.2021 which was received from the JD office duly printed out from the computer available in his office duly signed by himself and in charge A.D madam and etc., facts.

During the course of investigation, on the memo filed by the I.O., the Honourable 1st Addl. Judicial Magistrate of 1st class, Srikakulam has recorded the statements of complainants Sri Talasu Madhu, and Sri Gudla Shanmukha Rao, U/s 164 Cr.P.C on 08.09.2021. The Complainants supported the contents of FIR, MR-1 and MR-II to the extent concerned to them.

The Joint Director Agriculture, Srikakulam through his letter Rc.No.Esst(1)198/2021 & Plg(2) Fert/ACb Cases/2021 dated 01.10.2021 furnished the service particulars of the accused officer Smt. V.Bramaramba, A.D. Agril, Kothuru and the procedural aspects for issue of Fertilizer, Pesticide and Seeds license shops and duties and responsibilities of Government Servant and other information.

On a letter addressed, Nodal Officer – AP & TS Circle for Bharathi Airtel Limited, Hyderabad furnished his reply dt.18.10.2022 about the Call Data Records (CDRs) and subscriber details (customer application form) in respect of SIM number 9966280162 used by the Government Servant Smt V.Bramaramba along with 65- B IEA Certificate. On perusal of the CDR's of the Government Servant phone number it is identified that on 23.08.2021 at 09:55 hours the complainant Talasu Madhu called from his Phone Number 9492421787 to the Phone Number 9966280162 of the Government Servant and it was lasted 47 seconds.

On verifying the CAF (customer application form) of the Government Servant Phone Number, it was registered in the name of Smt. V.Bramaramba, W/o Y.V.Subramanyam, H.No.12-10-14, Vedulavari Street, Near small four road Junction, Anakapalli Mandal, Visakhapatnam.

(Contd.p.9)

On a letter addressed, Nodal Officer–BSNL, A.P. Circle, Vijayawada furnished information through his reply Dt.21.10.2021 about the CAF (customer application form) of the complainant Talasu Madhu for the mobile number 9492421787. On verifying the CAF (customer application form) of the complainant Phone Number, it was registered in the name of Sri. Talasu Madhu, S/o Srinivasa Rao (Late), Singidi Village, Srikakulam District.

During the investigation, Smt B.Sarada, Asst. Director of Agriculture, Kotturu furnished the action taken report on the Annapurna Agro's and GSN traders of Singidi Village of Bhamini Mandal, Srikakulam District and according to her report both Annapurna Agro's and GSN traders were not found guilty for the sale of 42 bags of urea to one Mani Nookayya of Singidi Village and accordingly further action was dropped on them furnished enquiry report through her letter Rc.No Estt(1)/91/2021 dt. 04.12.2021.

Thus, the Govt. Servant Smt. Vedula Bramaramba D/o Pattabhi Ramayya, Age 58 years, Asst. Director of Agriculture, Kotturu Division, Srikakulam District by her above mentioned acts exhibited lack of devotion to duty, failed to maintain integrity, behaved in a manner unbecoming of Government servant and brought down the prestige of the Government and there by violated the Rule 3(1) & (2) of APCS (conduct) Rules,1991.

Thus, the Govt. Servant Smt Vedula Bramaramba D/o Pattabhi Ramayya, Age 58 years, Asst. Director of Agricuture, Kotturu Division, Srikakulam District has rendered herself for regular departmental enquiry for major penalty U/r 20 of APCS (CC & A) Rules 1991.

Sd/- Gopal Krishna Dwivedi

CHIEF COMMISSIONER, RBKs &
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE DRAFT ARTICLES OF CHARGE FRAMED AGAINST SMT. VEDULA BRAMARAMBA, ASSISTANT DIRECTOR OF AGRICULTURE (U/S), KOTTUR DIVISION, KOTTUR, SRIKAKULAM DISTRICT ARE PROPOSED TO BE SUSTAINED.

LIST OF DOCUMENTS:

1. **Copy of Complaint dt. 01.09.2021 given by the complainants:**

   It reveals the facts of the demand of bribe amount of Rs.25,000/- by the Government Servant for not to cancel the licenses of their shops and not to trouble them and not to conduct checks on their shops in future and closing of Top 20 buyers/sellers mail report against them and the complainant Talasu Madhu recording the voice of Government Servant and etc., facts.

2. **Copy of F.I.R. in Cr.No 07/RCT-ACB- SKL/2021, Dt. 02.09.2021:**

   It reveals that a report was received from the complainants about the demand for a bribe and registration of the case against the Government Servant.

3. **Copy of Mediators Report-I:** It reveals the pre-trap happenings conducted on 02.09.2021.

4. **Copy of Mediators Report-ll:** It reveals the post trap happenings conducted on 02.09.2021 from 19.10 hours to 3.9.2021 at 06.30 hrs.

5. **Copy of Made up file:** containing list of Fertilizer shops in Bhamini Mandal and found that Annapurna Agros had new license number SKM/14/ADA/FR/2019/24053 at Singidi and GSN Traders had new license Number SKM/14/ADA/FR/2012/898 at Singidi - 1 sheet.

   It reveals that the complainants having Fertilizer shops in Singidi village of Bhamini Mandal and it comes under the jurisdiction of Government Servant

6. **Copy of Attendance Register of the O/o Assistant Director of Agriculture (R) Kothruru staff for the year, 2021:**

   It reveals that Government Servant was available in the office on the dates of demand of bribe amounts to the complainants on 17.08.2021 & 24.08.2021 respectively.

7. **Copy of Lr. Rc. No.Esst(1)198/2021 & Plg(2) Fert/Acb Cases/2021, dated: 1.10.2021 of Dy. Director (Agriculture), FAC Joint Director (Agriculture), Srikakulam:**

   It shows the service particulars and Job chart of the Government Servant and procedure is to be followed for issuance and cancellation of licenses to the Fertilizer, Pesticide and Seeds shops, power to inspect the shops by the officers and also information with regard to the Top-20 list and other information. According to the reply, Assistnat Director of Agriculture is the competent authority to issue license to the fertilizers shop for whole sale and retail business. Assistant Director of Agriculture is the competent authority (quality control inspector) to conduct checkings in their jurisdiction for ensuring the quality, availability of the Fertilizers, seeds and pesticides. Assistant Director of Agriculture is the competent authority to cancel the licenses of the fertilizer shops. With regard to the Top-20 list, GOI has observed that the excess quantity of urea was sold to the farmers by the agencies i.e retailer shops in a single month irrespective of their land capacity and those individuals are called top 20 buyers. The agencies i.e shops, who sold the same comes under top 20 sellers. Top-20 buyers is related to the fertilizers only and it is for monitoring the sale of Urea as it is a subsidy product and to prevent the black marketing of the urea. Top-20 list can be seen in online and it is happened based on the Aadhar authentication done by the farmers for purchases done in the retailer shops while purchasing the fertilizers. Urea is sold to the farmers on their availability of cultivated land and the selling agency should verify about the land availability of the farmer. If excess quantity of urea is sold to the

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farmers without verifying the land availability of the farmer, action should be taken on the sellers accordingly. Based on the field level verification, Asst Director of Agriculture as a licensing authority at divisional level should take action against the concerned dealers following the timely guidelines. On enquiry, if the sellers found not guilty, further action will be dropped.

8. **Copy of Rc.No Estt(1)/91/2021, dt.04.12.2021 of the Asst Director of Agriculture, Kotturu:**

It shows the action taken report on the Annapurna Agro's and GSN Traders of Singidi Village of Bhamini Mandal, Srikakulam District and as per the report, no fault was found on the part of the complainants about the excess sale of urea to the farmer i.e., Mani Nookayya of Singidi Village.

9. **Copy of 164 Cr.P.C. statement of the complainant -1 Sri Talasu Madhu:**

It shows that the complainant-1 has supported the contents of FIR, mediator's report 1 & II dated 02.09.2021 to the extent concerning to him.

10. **Copy of 164 Cr.P.C. statement of the complainant-2 Sri Gudla Shanmukha Rao:**

It shows that the complainant-2 has supported the contents of FIR, mediator's report 1 & II dated 02.09.2021 to the extent concerning to him.

11. Copy of call details held in the name of the Government Servant.

12. Copy of Part-II statements of witnesses 1 to 12 as per Annexure III of DAC's:

13. Any further document is required, it will be produced at the time of enquiry.

Sd/- Gopal Krishna Dwivedi
CHIEF COMMISSIONER, RBKs &
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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ANNEXURE-IV

LIST OF WITNESSESS BY WHOM THE DRAFT ARTICLES OF CHARGE FRAMED AGAINST SMT. VEDULA BRAMARAMBA, ASSISTANT DIRECTOR OF AGRICULTURE, (U/S), KOTTUR DIVISION, KOTTUR, SRIKAKULAM DISTRICT. ARE PROPOSED TO BE SUSTAINED.

The following oral evidence is available on record.

1) Sri Talasu Madhu, S/o Late Srinivasa rao, age 48 yrs, Proprietor of Annapurna Agros, Singidi Village, Bhamini Mandal, Srikakulam District.

He is the complainant, proprietor of "Annapurna Agros", who speak about the demand of bribe amount of Rs.25,000/- by the Government Servant, the contents of complaint dt.01.09.2021 submitted to the DSP, ACB, Srikakulam Range along with Gudla Shanmukha Rao and also speaks his recording the voice conversation that took place among him and Gudla Shanmukha Rao and the accused officer on 24.08.2021 in his mobile phone and copied the same into a memory card and handed over the Memory card along with 65-B IEA certificate to the DSP, ACB at the time of Pre-Trap proceedings in the presence of official mediators and also speks about the contents of Pre-Trap & Post-Trap proceedings to the extent concerning to him and also giving his statement u/s 164 Cr.P.C. before the Judicial Magistrate of 1st class, Srikakulam on 08.09.2021 and he deposed reiterating the contents of complaint and his participation in pre-trap and post-trap proceedings concerning to him etc.,facts.

2) Sri Gudla Shanmukha Rao, S/o Sankaranarayana, age 51 years, proprietor, GSN Traders, Singidi Village, Bhamini Mandal, Srikakulam District.

He is another complainant and proprietor of "GSN Traders" and speaks about the contents of complaint dt. 01.09.2021 submitted to the DSP, ACB, Srikakulam Range along with Talasu Madhu and also speaks about recording the conversation that took place among him and Talasu Madhu and the accused officer in the mobile phone of Talasu Madhu, got copied the same into a memory card by Talasu Madhu and handed over the Memory card along with 65-B IEA certificate to the DSP, ACB at the time of Pre-Trap proceedings in the presence of official mediators and also speks about the contents of Pre-Trap & Post-Trap proceedings to the extent concerning to him and also giving his statement u/s 164 Cr.P.C. before the Judicial Magistrate of 1st class, Srikakulam on 08.09.2021 and he deposed reiterating the contents of complaint and his participation in pre-trap and post-trap proceedings concerning to him along with the complainant Talasu Madhu etc.,facts.

3) Sri Kolli Tilak, S/o Babji Rao, age 30 years, Mandal Agricultural Officer, Bhamini Mandal, Srikakulam District. R/o Near DCC Bank, Srikakulam Road, Kotturu. N/o Pradeep Nagar, Vizianagaram.

He states that he has been working as Agriculture Officer in Bhamini Mandal. On the day of trap he was present at the office of ADA, Kotturu and at about 6:50 PM, Sri Talasu Madhu, proprietor of Annapurna Agro's and Sri Gudla Shanmukha Rao, Proprietor of GSN Traders of Singidi village came to the office and talked with the Asst. Director Bramaramba for some time. At about 07:00 PM some persons came to the O/o Asst. Director of Agriculture, Kotturu Division and surrounded Smt. Bramaramba, Asst., Director (Agrl.) and later he came to know that Smt. V.Bramaramba A.D., Kotturu was trapped by the ACB officials while demanding and accepting the bribe amount of Rs.25,000/- from Sri Talasu Madhu and Sri Gudla Shanmukha Rao for not to cancel the licenses of their shops and not to trouble them and not to conduct checks on their shops in future and closing of Top 20 buyers/sellers mail report against them. On the request of DSP, ACB about the list of fertilizers shops in Bhamini Mandal, he took out a print from the computer available in the office of AD (A), Kotturu and handed over it to the DSP, ACB.

On further examination, he states that with regard to the top -20 fertilisers buyyers list for the month of April-2021, a mail was received from the JD office (jdasklm@gmail.com) to his office mail id (maobhamini@gmail.com) on 28.06.2021 and in the list, one Mani Nookayya of Singidi village was placed as one of the top 20 buyyer and another mail was also received from the JD Office to his office mail id on 03.07.2021 for the top-20 issue and the same was informed to Smt Bramaramba and she told to him that she will look into the issue and she further told to him that Annapoorna Agros and GSN traders of Bhamini Mandal are the sellers of urea (fertilizers) to Mani Nookayya and she will look into the issue and etc facts.

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4) Smt. Gurugubelli Yogeswari, W/o late Ravi, age 40 years, Jr. Asst., O/o Asst. Director of Agriculture, Kotturu Division, Srikakulam District. R/o C.L. Naidu College Backside, Seethampeta Road, Palakonda.

She states that she has been working as Junior Assistant in the office of AD (A), Kotturu and residing at Palakonda village. On 02.09.2021 at about 6:50 PM two persons came to the office and talked with the Asst. Director Bramaramba for some time. At about 07:00 PM some persons came to the O/o Asst. Director of Agriculture, Kotturu Division and surrounded Smt. Bramaramba, Asst., Director (Agrl.) and later she came to know that Smt. V.Bramaramba A.D.A, Kotturu was trapped by the ACB officials while demanding and accepting bribe amount of Rs.25,000/- from the persons who met the A.D for not to cancel the licenses of their shops and not to trouble them and not to conduct checks on their shops in future and closing of Top 20 buyers/sellers mail report against them and etc., facts.

5)Smt. Janni Eswari, W/o Dhanunjaya, age 30 years, Messenger, O/o Asst. Director of Agriculture, Kotturu Division, Srikakulam District. R/o Official Colony, Batthili Road, Kotturu, Srikakulam District.

She states that she has been working as Messenger in the office of AD (A), Kotturu and residing at Kotturu village. On 02.09.2021 at about 6:50 PM two persons came to the office and talked with the Asst. Director Bramaramba for some time. At about 07:00 PM some persons came to the O/o Asst. Director of Agriculture, Kotturu Division and surrounded Smt. Bramaramba, Asst., Director (Agrl.) and later she came to know Smt. V.Bramaramba A.D., Kotturu was trapped by the ACB officials while demanding and accepting bribe amount of Rs.25,000/- from the persons who met the A.D for not to cancel the licenses of their shops and not to trouble them and not to conduct checks on their shops in future and closing of Top 20 buyers/sellers mail report against them and etc., facts.

6) Smt. Mandavakuriti Venkata Rajani, W/o late Durga Prasad, age 40 years, Watch Woman, O/o Asst. Director of Agriculture, Kotturu Division, Srikakulam District. R/o Kotadurga temple Backside, Near Old Bus Stand, Palakonda, Srikakulam District.

She states that she has been working as watch woman in the office of AD (A), Kotturu and residing at Palakonda village. On 02.09.2021 at about 6:50 PM two persons came to the office and talked with the Asst. Director Bramaramba for some time. At about 07:00 PM some persons came to the O/o Asst. Director of Agriculture, Kotturu Division and surrounded Smt. Bramaramba, Asst., Director (Agrl.) and later she came to know Smt. V.Bramaramba A.D., Kotturu was trapped by ACB officials while demanding and accepting bribe amount of Rs.25,000/- from the persons who met the A.D for not to cancel the licenses of their shops and not to trouble them and not to conduct checks on their shops in future and closing of Top 20 buyers/sellers mail report against them. On the request of ACB officials she handed over the staff attendance register for the year 2021 of the office ADA, Kotturu and etc., facts.

7) Sri Kakinada Eswara Rao, S/o Satyannarayana, age 21 years, Village Agricultural Asst., Neradi – B Sachivalayam, Bhamini Mandal, Srikakulam District. R/o Door No. 5-63, Pogiri village, Rajam Mandal, Srikakula District.

He states that he has been working as Agricultural Assistant, Neradi-B, Sachivalayam, Bhamini Mandal and residing at Pogiri village. On the day of trap he along with Sri Tilak, Mandal Agriculture officer, Bhamini were present at the office of ADA, Kotturu and at about 6:50 PM, Sri Talasu Madhu, proprietor of Annapurna Agros and Sri Gudla Shanmukha Rao, Proprietor of GSN Traders of Singidi village came to the office and talked with the Asst. Director Bramaramba for some time. At about 07:00 PM some persons came to the O/o Asst. Director of Agriculture, Kotturu Division and surrounded Smt. Bramaramba, Asst., Director (Agrl.) and later he came to know that Smt. V.Bramaramba A.D., Kotturu was trapped by ACB officials while demanding and accepting bribe amount of Rs.25,000/- from Sri Talasu Madhu and Sri Gudla Shanmukha Rao for not to cancel the licenses of their shops and not to trouble them and not to conduct checks on their shops in future and closing of Top 20 buyers/sellers mail report against them and etc., facts.

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8) Sri Kella Arun Kumar, S/o Sanyasi Rao, age 32 years, Driver of Asst. Director (Agrl.) Car bearing No. AP31 EM 2939 (Maruthi Brezza), Kommadi Village, Visakhapatnam.

He states that he has been working as a Car Driver to Smt. V. Bramaramba Asst. Director of Agriculture, Kotturu. On 02.09.2021 at about 6:50 PM two persons came to the office and talked with the Asst. Director Bramaramba for some time. At about 07:00 PM some persons came to the O/o Asst. Director of Agriculture, Kotturu Division and surrounded Smt. Bramaramba, Asst., Director (Agrl.) and later he came to know Smt. V.Bramaramba A.D., Kotturu trapped by ACB officials while demanding and accepting bribe amount of Rs.25,000/- from the persons who met the A.D for not to cancel the licenses of their shops and not to trouble them and not to conduct checks on their shops in future and closing of Top 20 buyers/sellers mail report against them and etc., facts.

9) Sri Kotagiri Sridhar, S/o VRK Mohana Rao, age 59 years, Dy. Director (Agriculture), FAC Joint Director (Agriculture), Srikakulam. R/o Flat No. 206, B-Block, Paradise Apartments, Seethammadhara, Visakhapatnam

He states that he has been working as Dy. Director (Agriculture), FAC Joint Director (Agriculture), Srikakulam. On the day of trap, he was informed by ACB officials that Smt. V.Bramaramba A.D., Kotturu was trapped by ACB officials while demanded and accepting bribe amount of Rs.25,000/- from Talasu Madhu and Gudla shanmukha Rao of Singidi village for not to cancel the licenses of their shops and not to trouble them and not to conduct checks on their shops in future and closing of Top 20 buyers/sellers mail report against them and immediately he attended the office of ADA, Kotturu and assisted the ACB officials and further he furnished information through his letter Rc.No.Esst(1)198/2021 & Plg (2) Fert/ACb Cases/2021 dated 01.10.2021 with regard to service particulars of the accused officer Smt. V.Bramaramba, A.D. Agriculture, Kotturu and the procedural aspects for issuance of license and also for cancellation of licences to Fertilizer, Pesticide and Seeds shops and duties and responsibilities of Government Servant and other information. The duties and responsibilities of the Asst. Directors (Agrl.) are that (i) registering the climatic changes and extension of crops (ii) to look after the Govt. schemes to reach the beneficiary farmers (iii) distribution of agricultural equipments (iv) To look after the quality (v) implementation of Union Govt. and state Govt. schemes (vi) database management of crops (e-crops) (vii) implementation of insurance schemes (viii) to look after sanction of loans to the needy farmers and (ix) licensing authority for fertilizers etc., The Joint Director (Agriculture) is empowered to issue Licenses to wholesale dealers under Fertilizers Act to sell fertilizers and also issue license to retail dealers to sell pesticides and seeds. The Asst. Directors are empowered to issue licenses to retail dealers to sell fertilizers. Further the Asst. Directors are empowered to inspect the dealer's shops in order to monitor the quality of fertilizers, cost of fertilizers etc., and they have to submit their reports to the Joint Director (Agrl.). Basing on the recommendations made by the Asst. Directors, the JD (A) office will take necessary actions on the dealers. Under the supervision of Joint Collector, the JD (A) office will prepare a list of top 20 buyers/sellers of fertilizers and verify whether the buyers are genuine farmers or not and also verify whether the seller sold the fertilizers correctly or not and submit the report to the Joint Collector accordingly. The JD (A) office will call the buyers and sellers, examine them. If their office satisfied with the explanations of the buyers and sellers, they won't take any action but if any discrepancy was found, they will impose fine of Rs. 10,000/- for 1st time, Rs.30,000/- for 2nd time and after then they can cancel the license of the seller. With regard to top 20 buyer/seller lists, at the field level the Mandal Agricultural Officer and Asst. Director (Agrl.) has to verify the genuineness of said list and submit the report to the JD(A).

On Further examination of Sri. K.Sridhar, Dy. Director (Agriculture), FAC Joint Director (Agriculture), Srikakulam states that dealers who sold high quantity of Urea, they were kept as Top 20 buyers/sellers list and as usual in the month of April 2021, Top 20 buyyers list was announced and in that list one Mani Nookayya of Singidi village was found as one of the top 20 buyyer. His office informed the same vide Rc. No 84/2020 dt 25.06.2021 through the mail from his office to the mail of ADA office, Kotturu and Mandal Agriculture Office, Bhamini along with other officers on 28.06.2021 and also vide No. Planning (2) 84/2020 dt 29.06.2021 through mail on 03-07-2021 from his office to the office mails of ADA, Kotturu and MAO, Bhanimi for taking necessary action and he also informed to Smt V.Bramaramba, ADA, kotturu about the sellers i.e., GSN Traders and Annapurna Agros of Singidi village of Bhamini

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Mandal of Kotturu Sub-Division, who sold the same to the Mani Nookayya and instructed her to take necessary action. In general fertilizers top-20 buyers list was announced through the online and when any one name was included in the Top- 20 list of buyers/ sellers for the sale of fertilizers, same is to be verified at the field level i.e., Mandal Agriculture Officer and Asst Director of Agriculture, that the quantity of urea that was purchased by the buyer is for the real use or for the side business of the seller and they have to verify the land details of the concerned also and if the seller was found guilty, they have to fine for Rs 30,000/- and in default of fine, Asst director of Agriculture concerned has to cancel the licence of the fertilizer shop. if the dealer/seller was found not guilty, they have to close the action against the sellers. But Smt. V.Bramaramba, A.D.A, Kotturu did not take any action against the dealers/complainants till the date of trap and etc facts.

10) Polimeri Pydi Venkata Visweswara Ajay Kumar S/o Durgi Naidu, age 33 years, Agriculture Officer J.D office, Srikakulam.

He states that he has been working as agricultural Officer in the office of Joint Director (Agriculture), Srikakulam. He works under the supervision of JD Agriculture and looked after the works of RBK, Fertilizers, pesticides and seeds and calamities and other works entrusted by JD. Smt. V.Bramaramba worked as A.D., Kotturu in Srikakulam district. The dealers who sold high quantity of Urea, they were kept as Top 20 buyers/sellers list and as usual in the month of April 2021 Top 20 buyyers list was announced and in that list one Mani Nookayya of Singidi village was found as one of the top 20 buyyer. His office informed the same vide Rc. No 84/2020 dt 25.06.2021 through the mail from his office to the mail of ADA office, Kotturu and Mandal Agriculture Office, Bhamini along with other officers on 28.06.2021 and also vide No Planning (2) 84/2020 dt 29.06.2021 through mail on 03-07-2021 from his office to the office mails of ADA, Kotturu and MAO, Bhamini for taking necessary action and he also informed to Smt V.Bramaramba, ADA, kotturu about the sellers i.e., GSN Traders and Annapurna Agros of Singidi village of Bhamini mandal of Kotturu Sub-Division, who sold the same to the Mani Nookayya. In general, fertilizers top-20 buyers list was announced through the online and when any one name was included in the Top-20 list of buyers / sellers for the sale of fertilizers, same is to be verified at the field level i.e Mandal Agriculture officer and Asst. Director of Agriculture, that the quantity of urea that was purchased by the buyyer is for the real use or for the side business of the seller and they have to verify the land details of the concerned also and if the seller was found guilty, they have to fine for Rs.30,000/- and in default of fine, Asst director of Agriculture concerned has to cancel the license of the fertilizer shop. if the dealer/seller was found not guilty, they have to close the action against the sellers. But Smt V.Bramaramba, A.D.A, Kotturu did not take any action against the dealers/complainants till to date of trap and etc facts.

11) Smt Badiganti Sarada, Asst Director of Agriculture (FAC), Kotturu, Srikakulam District.

She states that she has been working as Asst Director of Agricuture (FAC), Kotturu since 27.09.2021 and she came to know that ADA, Kotturu Smt Bramaramba was cught red handed by the ACB officials on 02.09.2021 at about 7:00 PM from the complainants with regard to top 20 Buyers/Sellers list and other issues and further states that on taking the charge of ADA, Kotturu she immediately enquired with the Top -20 sellers of fertilizers issue with the Senior Assistant and verified the mails that was received from the JD office with the help of Senior Assistant Sri Prasada Rao and found that two mails dt.28.06.2021 & 03.07.2021 were received from the JD office with regard to the issue of top-20 list and in the mail dt 28.06.2021, one Mani Nookayya of Singidi Village was found as top-20 buyer. She enquired with the Senior Assistant about the action taken by the then ADA Smt V.Bramaramba, on that Senior Assistant told to her that he informed the issue to Smt V.Bramaramba on 03.07.2021 on that she told to him that she will look into the matter. After assuming the charge as A.D (A), Kotturu, Smt B.Sarada enquired about the top 20 issue with regard to the complainants in this case and found that no fault on part of the complainants and further states that. she handed over the copies of the two mails dt 28.06.2021 and 03.07.2021 to ACB Officials, which was received from the JD office duly printed out from the computer available in her office by Senior Assistant duly signed by herself and Senior Assistant and etc., facts.

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12) Sri Sapparapu Prasada Rao S/o Late Suryanarayana, age 50 years, Senior Assistant O/o Asst., Director of Agriculture, Kotturu, Srikakulam District:

He states that he has been working as Senior Assistant in the office of Asst. Director of Agriculture, Kotturu and looked after the office administration and computer works. On 28.06.2021, a mail was received from JD, Agriculture office, Srikakulam vide letter No.84/2020 dt 25.06.2021 to take necessary action with regard to the top-20 buyyers list for the month of March and April, 2021 and another mail was also received on 03.07.2021 vide Memo No. Planning (2) 84/2020 dt.29.06.2021 with regard to take necessary action on the top-20 issue. He informed the same to the accused officer Smt Bramaramba on 03.07.2021 and on that she states to him that she will look after the issue. On 02.09.2021, he attended the office and in the evening at about 5:15 PM he left the office with the prior permission from the A.D Smt Bramaramba and after that he came to know that on 02.09.2021 at about 7:00 PM, A.D Smt Bramaramba was caught red handed while taking the bribe from the dealers of the fertilizers shop owners with regard to the top-20 issue. He further states that, Smt Sarada, after attaining of the charge as in charge A.D, enquired with him about the top-20 mail list of Buyers/ sellers of fertilizers, accordingly he opened the mails dt 28.06.2021 & 03.07.2021 which was received from the J.D (Agril), Srikakulam and showed her and she inturn asked whether he informed the same to the Smt Bramaramba, on that he states that the same was informed to her and she told to him that she will look into the matter. He handed over the copies of the two mails dt.28.06.2021 & 03.07.2021 which was received from the JD office duly printed out from the computer available in his office duly signed by himself and in charge A.D madam and etc., facts.

13) Sri Bendi Venkata Satyanarayana Murthy, S/o late Varahalu, age 57 years, Senior Lecturer, Govt. Polytechnic for Women, Srikakulam. R/o Plot No. 177, 4th line, Sai Nilayam, P.N. Colony, Srikakulam.

He is the 1st mediator and speaks about the contents of Mediators' Report-I and II dt. 02.09.2021.

14) Sri Kornana Guruvulu, S/o late Venkatappadu, age 50 years, Jr. Asst., Govt. Polytechnic for women, Srikakulam. R/o Door No. 5-5, Kusalapuram Village, Etcherla Mandal, Srikakulam District.

He is the 2nd mediator and speaks about the contents of Mediators' Reports-I & II. Dt. 02.09.2021.

15). Sri B.V.S.S. Ramanamurty, DSP, ACB, Srikakulam Range.

He speaks about receipt of written report against the Govt. Servant, pre-trap and post trap proceedings conducted, examination of witnesses etc. facts.

16). Sri K. Bhaskara Rao, Inspector of Police, ACB, Srikakulam Range.

He speaks about further investigation, examination of witnesses and finalization of the case etc, facts.

Sd/- Gopal Krishna Dwivedi

CHIEF COMMISSIONER, RBKs &
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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SECTION OFFICER